UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,732	12/05/2001	Jason A. Davidson	10559-547001	6111

26529	7590	10/20/2006

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EXAMINER
DANG, THANH HA T

ART UNIT	PAPER NUMBER
2163	

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 July 2006*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10 and 21-26* is/are pending in the application.

    4a) Of the above claim(s) *11-20 and 27-30* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10 and 21-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. Claims 1-10 and 21-26 are rejected in this Office Action.

2. Applicants cancelled claims 11-20 and 27-30.

3. This Action is made Final.

Response to Amendment

4. Receipt of Applicant's Amendment filed 07/31/2006 is acknowledged.

5. Applicant's Amendment submitted 07/31/2006 overcomes the rejection in connection with Claim 1 based on 35USC112 (2nd). Examiner hereby withdraws the rejection given on the Office Action dated 4/27/2006.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-4, 6-10 and 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,584,459 issued to Chang et al. ("Chang"), and further in view of U.S. Patent No. 6,721,727 issued to Chau et al. ("Chau").

As to **Claim 1**, *Chang teaches* a method comprising:

- designating tags that specify data semantics to identify tables and/or attributes to be used in storing information in a text file using a relational database model *(Figures 8, 9 and 11 illustrates the designating tags to be used in storing information in a text file using a relational database model, column 5, lines 15-49)*;

- *Chang does not explicitly teach* storing the text file with the tags in a memory device; and accessing the stored text file as a relational database via a programming interface that includes a procedure call format representing a declarative statement. However,

  Chau teaches storing the text file with the tags *(Abstract, Figure 2, block208; Figure 8, block810 and block814, column 49, lines 9-10)* in a memory device *(Figures 1, block106, column 4, line20)*; and accessing the stored text file as a relational database via a programming interface

(Figure 2, block202, column 6, lines 4-13) that includes a procedure call format representing a declarative statement *(Figures 8-9, block904, column 49, lines 9-42).*

It would have been obvious to one of ordinary skill in the data processing art at the time of the invention to combine document access definition identifying one or more relational tables and columns teaching of Chau with database extender for storing, querying, and retrieving structured documents teaching of Chang to provide method and system which implement documents as text-file based relational database.

As to **Claim 2**, *Chang in combination with Chau teaches* wherein the tags comprise data domain generic tags *(Chang, Figures 8 and 9 illustrate the tags which comprise data domain generic tags).*

As to **Claim 3**, *Chang in combination with Chau teaches* wherein the tags comprise data domain specific tags *(Chang, Figure 11 illustrates the tags which comprises data domain specific tags).*

As to **Claim 4**, *Chang in combination with Chau teaches* wherein the procedure call format specifies a plurality of inputs of a character string type for a procedure *(Chang, column 21, lines 40-55 and column 23, lines 5-15).*

As to **Claim 6**, *Chang in combination with Chau teaches* wherein the procedure call format supports one or more relational database operations, which

include a select operation, an update operation, an add operation, an insert operation, and a delete operation *(Chau, column 32, lines 20-40)*.

As to **Claim 7**, *Chang in combination with Chau teaches* wherein the represented declarative statement corresponds to a relational database query protocol standard *(Chang, column 6, lines 38-45 and column 21, lines 40-55)*.

As to **Claim 8**, *Chang in combination with Chau teaches* wherein the text file comprises plain text in American Standard Code for Information Interchange format *(Chau, column 12, lines 60-67 and column 13, lines 1-35)*.

As to **Claim 9**, *Chang in combination with Chau teaches* wherein the plain text conforms to version 1.0 of Extensible Markup Language *(Chau, column 18, lines 10-40)*.

As to **Claim 10**, *Chang in combination with Chau teaches* wherein the relational database query protocol standard is International Standard 9075:1992 (*Chang,* column 6, lines 38-41. The protocol standard is cited in specification as prior art example *(page 5 [0018]); see reference in U.S.Patent No.5,956,706 background section)*.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,584,459 issued to Chang et al. ("Chang"), further in view of U.S. Patent No. 6,721,727 issued to Chau et al. ("Chau") as applied to Claim 1 above, and further in view of Pub. No. US2002/0099735 issued to Schroeder et al. ("Schroeder").

As to **Claim 5**:

Chang in combination with Chau teaches the elements of Claim 1 as stated above.

Chang in combination with Chau do not explicitly teach wherein the inputs comprise a subset of the tags, and output data from the procedure does not include the tags.

Schroeder teaches wherein the inputs comprise a subset of the tags *(Figure 3a, block302)*, and output data from the procedure does not include the tags *(Figure 3a, block306 and 308)*.

It would have been obvious to one of ordinary skill in the data processing art at the time of the invention to combine translating and transforming data file teaching of Schroeder with document access definition identifying one or more relational tables and columns teaching of Chau and database extender for storing, querying, and retrieving structured documents teaching of Chang to provide method and system which implement documents as text-file based relational database.

Claims 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,584,459 issued to Chang et al. ("Chang"), and further in view of U.S. Patent No. 6,721,727 issued to Chau et al. ("Chau").

As to **Claim 21**, *Chang teaches* a machine-readable storage medium embodying information indicative of instructions for causing one or more machines to perform operations comprising:

- making information stored in a memory device as a text file comprising tags specifying data semantics corresponding to a relational database model available through a procedure call interface *(Figures 1-3, 7-9 and 11, column 3, lines 48-60; column 5, lines 14-49 and lines 55-67, column 6, lines 1-15 wherein illustrate a text file comprising tags specifying data semantics corresponding to a relational database model available through a procedure call interface (e.g. illustrating code in column 23, lines 25-39)*;

- receiving from an application a relational database request using the procedure call interface *(Figures 1-3 and 7, column 7, lines 27-38)*;

- *Chang does not explicitly teach* accessing the stored text file in response to the request as a relational database via a programming interface that includes a procedure call format representing a declarative statement; and returning data from the text file corresponding to the relational database request. However,

Chau teaches accessing the stored text file in response to the request as a relational database via a programming interface *(Figure 2, block202, column 6, lines 4-13)* that includes a procedure call format representing a declarative statement *(Figures 8-9, block904, column 49, lines 9-42)*; and

returning data from the text file corresponding to the relational database request *(column 26, lines 31-44)*.

It would have been obvious to one of ordinary skill in the data processing art at the time of the invention to combine document access definition identifying one or more relational tables and columns teaching of Chau with database extender for storing, querying, and retrieving structured documents teaching of Chang to provide method and system which implement documents as text-file based relational database.

As to **Claim 22**, *Chang in combination with Chau teaches* wherein the procedure call interface comprises a high-level language procedure call having a procedure call format representing a declarative statement *(Chau, column 23, lines 35-50)*.

As to **Claim 23**, *Chang in combination with Chau teaches* wherein the procedure call interface supports one or more relational database operations, which include a select operation, an update operation, an add operation, an insert operation, and a delete operation *(Chau, column 32, lines 20-40)*.

As to **Claim 24**, *Chang in combination with Chau teaches* wherein the procedure call has a format corresponding to a relational database query protocol standard *(Chang, column 6, lines 38-45 and column 21, lines 40-55)*.

As to **Claim 25**, *Chang in combination with Chau teaches* wherein the text file comprises plain text in American Standard Code for Information Interchange

format *(Chau, column 12, lines 60-67 and column 13, lines 1-35)*, and wherein

the plain text conforms to version 1.0 of Extensible Markup Language *(Chau,*

column 18, lines 10-40).

As to **Claim 26**, *Chang in combination with Chau teaches* wherein the

relational database query protocol standard is International Standard 9075:1992

(Chang, column 6, lines 38-41. The protocol standard is cited in specification as

prior art example (page 5 [0018]); see reference in U.S.Patent No.5,956,706

background section).

Citation of Pertinent Prior Art

7. The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure:

• Binding et al. (US Patent No. 7,024,413), "Method of Externalizing Legacy

Database in ASN.1-Formatted Data into XML Format".

• Chau et al. (US Patent No. 6,643,633), "Storing Fragmented XML Data Into a

Relational Database by Decomposing XML Documents with Application Specific

Mappings".

• Michele C. Lee (Pub. No US2002/0147746), "Delivering Outpu XML with

Dynamically Selectable Processing".

• Fujishima et al. (US Patent No. 6,829,614), "Scrambling Method of the Data

Files".

- Burkett et al. (US Patent No. 6,671,853), "Method and System for Selectively Streaming Markup Language Documents".

Response to Arguments

6. Applicant's arguments filed 07/31/06 have been fully considered but they are not persuasive. Examiner respectfully maintains the rejection cited for the following reasons:

- Applicant argues: Applicant stated on last paragraph of page 9 that "the combination of Chang and Chau fails to teach the above limitation of Claim 1: **accessing** the stored text file **as** a relational database via a programming interface that includes a procedure call format representing a declarative statement" (also similar claim 21).

Examiner responds: Examiner is not persuaded. It is unclear how "**accessing** the stored text file **as** a relational database". It would be more reasonable to access stored text file *using, via*, or *from* a relational database. Chau teaches in Figure 2 in conjunction with Figures 7-9, accessing the stored text file (Figure 2 block206 and block208, column 6, lines 4-13), from a relational database (Figure 2, block200 and 210) via a programming interface which is illustrated in Figure 2, block202 (Application Program) that includes a procedure call format representing a declarative statement that is illustrated in Figures 8-9, block802-808, block904, column 49, lines 9-42. Further, Chang in column 7, lines 29-47 also read on the broad claimed limitation stated above (also similar claim 21).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
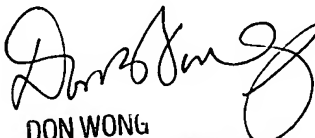
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh-Ha Dang whose telephone number is 571-272-4033. The examiner can normally be reached on Monday-Friday from 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thanh-Ha Dang
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